

REMARKS

Claims 1-10, 12-36 and 38-47 are pending in this application. By this Amendment, claims 33 and 43 are amended to delete the subject matter added in the November 19, 2010 Amendment. No new matter is added. Reconsideration and prompt allowance of the pending claims are respectfully requested, at least in light of the following Remarks.

I. The Claims Define Patentable Subject Matter

The Office Action rejects claims 1-36 and 38-47 under 35 U.S.C. § 103(a) over U.S. Patent No. 4,307,899 to Hoppe in view of U.S. Patent No. 6,089,614 to Howland et al. ("Howland") and "Understanding Halftones" by Arah ("Arah"). The cancellation of claim 11 renders the rejection of claim 11 moot. The rejection of the remaining claims is respectfully traversed.

The applied references fail to disclose and would not have rendered obvious "wherein the first and second areas are formed from one or more reflective media on a same side of the substrate, wherein the reflective media include printed metallic inks," as recited in claims 33 and 43. The Office Action agrees that Hoppe fails to disclose a pattern such as a demtallized pattern but asserts that Howland remedies this deficiency. In particular, the Office Action asserts that it would have been obvious to substitute the white print layers of Hoppe with the metallic layers of Howland because the substitution would not destroy either invention and would predicatively serve an identical function. Applicant disagrees.

In particular, Hoppe discloses utilizing different layers having different colors to form an image. The interaction of those colors generates different colors under different types of light (i.e., transmitted and incident light) (see Figs. 1a-2b and col. 4, lines 4-54). In other words, Hoppe discloses utilizing particular combinations of colored layers to change the color of an image depending on whether the image is viewed in transmitted or incident light.

Howland, on the other hand, discloses utilizing a reflective metallic patch 10 to control the visibility of indicia under different types of light (i.e., transmitted and incident light) (see Howland, col. 7, line 59 through col. 8, line 7). A first indicia of Howland is formed on a first side of a substrate and a second indicia on a second side of the substrate (see Howland, Figs. 1-4). The reflective patch 10 reflects incident light before the light can reach one of the indicia, thereby blocking one of the indicia from view under incident light and rendering both indicia visible under transmitted light (see Howland, col. 7, line 59 through col. 8, line 7).

Thus, the function of the metallic patch 10 of Howland is to block an indicia from view or permit an indicia to be viewed. In contrast, the function of the colored layers of Hoppe is to change the color of an indicia. Therefore, contrary to the Office Action's assertion, the reflective metallic patch 10 of Howland does not serve the same purpose as the colored layers of Hoppe. Accordingly, substituting the white ink layer of Hoppe for the reflective metallic patch 10 of Howland would alter both inventions and would not predicatively serve an identical function.

Therefore, Howland does not remedy the deficiency of Hoppe because one of ordinary skill in the art would not substitute the white ink layer of Hoppe with the reflective metallic patch 10 of Howland. Arah also fails to remedy the deficiency of Hoppe.

Dependent claims 34-36 depend from independent claim 33. Therefore, those dependent claims are patentable over the applied references at least for their dependence from claim 33, as well as for the additional features those claims recite.


Withdrawal of the rejection is requested.

II. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the pending claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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